

MARK STEGER SMITH

Assistant U.S. Attorney

U.S. Attorney's Office

2601 Second Avenue North, Suite 3200

Billings, MT 59101

Ph: (406) 247-4667; Fax: (406) 657-6058

[mark.smith3@usdoj.gov](mailto:mark.smith3@usdoj.gov)

PAUL E. SALAMANCA

Deputy Assistant Attorney General

Environment and Natural Resources Division

United States Department of Justice

LUTHER L. HAJEK (CO Bar 44303)

Natural Resources Section

999 18th St., South Terrace, Suite 370

Denver, CO 80202

Ph: (303) 844-1376; Fax: (303) 844-1350

[luke.hajek@usdoj.gov](mailto:luke.hajek@usdoj.gov)

*Counsel for Defendant*

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
GREAT FALLS DIVISION

WESTERN ORGANIZATION OF )  
RESOURCE COUNCILS, *et al.*, )

Plaintiffs, )

v. )

U.S. BUREAU OF LAND )  
MANAGEMENT, )

Defendant, )

and )  
\_\_\_\_\_ )

Case No. 4:20-cv-00076-BMM-JTJ

**UNOPPOSED MOTION FOR AN  
EXTENSION OF TIME TO  
RESPOND TO THE COMPLAINT**

STATE OF WYOMING, )  
 )  
 Intervenor Defendant )  
 )  
 \_\_\_\_\_ )

Defendant Bureau of Land Management moves, unopposed, for a three-week extension to file its answer or, in the alternative, its motion under Rule 12(b). Defendant's responsive pleading is currently due on November 2, 2020. Defendant respectfully that this deadline be extended to November 23, 2020.

"When an act may or must be done within a specified time, the court may, for good cause, extend the time, with or without motion . . . if a request is made, before the original time or its extension expires." Fed. R. Civ. P. 6(b)(1)(a). Good cause exists here. Defendant's counsel Luther L. Hajek is responsible for filing a summary judgment brief on November 6, 2020 in *Montana Wildlife Federation v. Bernhardt*, No. 4:18-cv-69-BMM, as well as obligations in other matters. Therefore, Defendants' counsel requires additional time to prepare a response to the complaint in this case.

Counsel for Defendant has conferred with counsel for Plaintiffs and counsel for Intervenor Defendant. No party opposes this motion. A proposed order is attached.

DATED: October 23, 2020

Respectfully submitted,

MARK STEGER SMITH

Assistant U.S. Attorney  
U.S. Attorney's Office  
2601 Second Avenue North, Suite 3200  
Billings, MT 59101  
Ph: (406) 247-4667; Fax: (406) 657-6058  
mark.smith3@usdoj.gov

PAUL E. SALAMANCA,  
Deputy Assistant Attorney General  
Environment & Natural Resources Division

/s/ Luther L. Hajek  
LUTHER L. HAJEK (CO Bar 44303)  
Trial Attorney, Natural Resources Section  
United States Department of Justice  
Environment and Natural Resources Div.  
999 18th St., South Terrace, Suite 370  
Denver, CO 80202  
Tel: (303) 844-1376  
Fax: (303) 844-1350  
E-mail: luke.hajek@usdoj.gov

*Counsel for Defendant*

**CERTIFICATE OF SERVICE**

I certify that on October 23, 2020, a copy of the foregoing was served on all counsel of record via the Court's CM/ECF system.

/s/ Luther L. Hajek

LUTHER L. HAJEK

U.S. Department of Justice